

PROB 12C
ED/AR (12/2012)**FILED**
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

SEP 13 2021

United States District Court

for the

Eastern District of ArkansasTAMMY H. DOWNS, CLERK
By: *[Signature]* DEP CLERK**SUPERSEDING PETITION**
(Replacing previously filed petition, Docket Entry 4)

Name of Offender: Donnell A. Thomas

Case Number: 4:19CR00393-001 KGB

Name of Sentencing Judicial Officer: Honorable Mark W. Bennett
United States District Judge
(Northern District of Iowa)Name of Reassigned Judicial Officer: Honorable Kristine G. Baker
United States District Judge
Eastern District of Arkansas
(Jurisdiction accepted on June 7, 2019)

Original Offense: Count 1: Conspiracy to Distribute 50 Grams or More of Cocaine Base Following a Felony Drug Conviction

Count 2: Possession With Intent to Distribute 1 Gram or More of Cocaine Base Following a Felony Drug Conviction

Date of Sentence: November 13, 2009

Original Sentence: Sentenced to 240 months Bureau of Prisons. This term consists of 240 months on Count 1 of the Second Superseding Indictment and 240 months on Count 2 of the Second Superseding Indictment, with these terms to be served concurrently. Upon release from imprisonment, the defendant shall be on supervised release for a term of 10 years. This term consists of 10 years on Count 1 of the Second Superseding Indictment and 10 years on Count 2 of the Second Superseding Indictment, with these terms to run concurrently.

March 22, 2019: Sentence reduced to Time Served on Count 1. His term of supervised release on Count 1 is reduced to eight years. Accordingly, defendant's term of supervised release on Count 2 is reduced to eight years to the match the eight years now imposed on Count 1.

Type of
Supervision: Supervised ReleaseDate Supervision Commenced: April 1, 2019
Date Supervision Expires: March 31, 2027U.S. Probation
Officer: Jessica BlasingameAsst. U.S.
Attorney: Cameron McCreeDefense
Attorney: Erin Cassinelli

PETITIONING THE COURT

- ☒ To Issue a Sealed Warrant Pending Execution (cc: U.S. Probation and U.S. Marshal only)
☒ The Petition (Docket Entry 4) is denied as moot and superseded by this Petition
☐ To Issue a Summons
☐ Other

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Condition and Number</u>	<u>Nature of Noncompliance</u>
1	Mandatory	The defendant shall not commit another federal, state, or local crime.
2	Mandatory	<p>The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.</p> <p>On May 14, 2020, Mr. Thomas violated this condition of supervised release when he used a black semi-auto handgun to shoot the victim in his upper right leg, as documented by the Jacksonville Police Department's incident report no. 20-02537 for the offense of Aggravated Robbery and Battery 1st Degree.</p> <p>On November 4, 2020, the Prosecuting Attorney of the Sixth Judicial District of Arkansas charged Mr. Thomas with Aggravated Robbery, Battery – 1st Degree, and Possession of Firearms by Certain Persons for offenses committed on May 14, 2020. On November 6, 2020, an arrest warrant was issued. The case is pending in Case No. 60CR-20-3901 in the Pulaski County, Arkansas, Circuit Court.</p>
3	Standard (2)	<p>The defendant shall report to the probation officer and shall submit a truthful and written report within the first five days of each month.</p> <p>Mr. Thomas violated this condition of supervised release when he failed to submit monthly supervision reports by the fifth of each month during the months of October, November, and December 2019; January, February, March, April, May, June, and July 2020.</p>
4	Special (1)	<p>The defendant must participate and successfully complete a program of testing and treatment for substance abuse.</p> <p>Mr. Thomas violated this condition of supervised release by failing to submit a urine specimen on October 28, 2019.</p>
5	Special	<p>No contact, directly or indirectly, with any individual who may be a victim or witness in the shooting incident that is a basis for the motion to revoke, including Franklin Hinton, Luther Hartwell, or anyone else present at Hartwell's house on May 14, 2020.</p> <p>Mr. Thomas violated this condition of supervised release when he made contact with Luther Hartwell in late March or early April 2021, as witnessed by Erin French.</p>
6	Special	Additionally, the Court orders that Thomas be placed on home detention with location monitoring. he is restricted to his residence at all times except for employment, religious services, medical treatment, attorney visits, court

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Superseding Petition

Name of Offender: Donnell A. Thomas

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appearances, court-ordered obligations, or other activities approved in advance by his supervising officer. Thomas must pay all or part of the cost of the location monitoring program based on his ability to pay as determined by his supervising officer.

Mr. Thomas violated this condition of supervised release when he left his residence without permission from his probation officer on September 10, 2021. Records from BI Total Access, Inc., indicated Mr. Thomas left his residence at 8:43 p.m. and did not return. Numerous attempts to contact Mr. Thomas have unsuccessful and his current whereabouts are unknown.

I declare under penalty of perjury that the foregoing is true and correct.

The U.S. Attorney's Office submits this petition to be filed with Criminal Docketing as a motion.



Ryan L. Clodfelter
U.S. Probation Officer

Executed on September 11, 2021



Cameron McCree
Assistant U.S. Attorney

Executed on September 12, 2021

Approved by:



U.S. Probation Officer, Unit Leader

THE COURT ORDERS:

- ☐ To Issue a Sealed Warrant Pending Execution (cc: U.S. Probation and U.S. Marshal only)
- ☐ The Petition (Docket Entry 4) is denied as moot and superseded by this Petition
- ☐ To Issue a Summons
- ☐ No Action
- ☐ Other

Honorable Kristine G. Baker
United States District Judge

Date